IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Attv. Docket No.: JIANG ET AL. 78414 (29-39 US) Serial No. 10/779,894 Filing Date: FEBRUARY 17, 2004 Art Unit: 2828 Confirmation No. 9641 For: INDEX GUIDED VCSEL AND METHOD OF FABRICATION

NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS PURSUANT TO 37 CFR S 1.27(g)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby notifies the Patent and Trademark Office that it is no longer entitled to status as a small entity and that the claim for small entity status set forth in the previously filed as a small entity status is hereby withdrawn.

Respectfukly, submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 703-872-9306 to the COMMISSIONER FOR PATENTS, this

25 day of October 2004.